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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/537,098	12/29/2005	Hendrikus Theodorus Wientjens	2409-0155PUS1	8819
2292 7590 06/24/2009 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER BANH, DAVID H				
ART UNIT 2854		PAPER NUMBER		
NOTIFICATION DATE 06/24/2009		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

### Office Action Summary

**Application No.**

10/537,098

**Applicant(s)**

WIJNTJENS ET AL.

**Examiner**

DAVID BANH

**Art Unit**

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 April 2009.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☒ Claim(s) 2, 3, 4/2, 4/3 and 5 is/are allowed.  
6) ☒ Claim(s) 1, 4/1 and 6-10 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/SI/08)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed on April 3, 2009 have been fully considered but they are not persuasive. Applicant alleges that the fixation means **84, 86** in the Niemiro reference are not fixation means for fixing the plate assembly **22, 24, 26, 28** to the receiving unit **14**. However, the fixation means **84, 86** are bearings on the shaft **72** which fix the plate assembly to the shaft **72** and the shaft **72** connects to the receiving side wall **14**. While Niemiro teaches only a single side wall, the primary reference Waschynsky teaches two side wall receiving units for the cylinder assembly and application of bearings to the shaft on both ends would be readily obvious to one of ordinary skill in the art. Finally, with regard to the positioning of the bearings, the bearings can be considered under the plate cylinder assembly if the top side as the side including the label "Fig. 2" in said figure. Even if this side could not be considered the top side, bearings **44, 46** are also shown in Fig. 2 on the opposite side of the cylinder assembly.

### ***Allowable Subject Matter***

2. Claims 2, 3, 4/2, 4/3 and 5 are allowed. Reasons for allowance are included the Office Action of October 24, 2008.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4/1 and 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waschynsky et al. (US Patent 4,878,427) in view of Niemiro, et al. (US Patent 6,318,257).

Waschynsky et al. teaches a single frame comprising an impression roller **60**, an anilox roller **56** and a doctor roller **54** and a plate cylinder assembly (see Figure 5) comprising a plate cylinder **58**, the plate cylinder **58** carrying a print image (column 5, lines 45-50, pattern of dots), the plate cylinder **58** abutting the impression roller **60** (see Figure 3). The doctor roller **54** takes ink up from an ink reservoir (column 2, lines 5-22). The anilox roller **56** is arranged between the doctor roller **54** and the plate cylinder **58** (see Figure 3). A desired amount of ink is taken from the doctor roller **54** by the anilox roller **56** and transferred to the plate cylinder **58** (column 5, lines 40-55, pattern of ink is transferred from these three rollers). The plate cylinder **58** is bearing mounted on a stationary shaft **78** (see Figure 4). The applicant concedes in his disclosure of prior art in discussing Waschynsky et al. that two receiving units are disposed on opposite sides of the plate cylinder, which are connected to the frame (see page 1, lines 22-25), additionally, fixation means for fixing the plate cylinder to the receiving units are provided as taught on page 2, lines 1-5 of the specification. Thus, Waschynsky et al. teaches all of the limitations of claim 1 except that the fixation means are substantially under the plate assembly. However, Niemiro et al. teaches fixation means **84**, **86** for a plate cylinder **29** that are disposed substantially under the plate cylinder assembly **28**. It would have been obvious to one of ordinary skill in the art at the time the invention was

made to modify Wachynsky et al. by placing the fixation means under the plate cylinder assembly for the purpose of securing the plate cylinder assembly.

For claim 4 as dependent on claim 1: Wachynsky et al. teaches a bearing surface on which the plate cylinder rests in a releasable position (column 10, lines 38-40 and lines 47-50). Wachynsky et al. teaches that the plate cylinder may be lifted out of the receiving unit and can be simply taken out of the print module for replacement (column 9, lines 58-65).

For claim 6: Wachynsky et al. teaches that the receiving units are provided each with a curved supporting surface (column 10, lines 47-50) and further that the plate cylinder and impression roller and anilox roller can be relatively positioned, thus allowing for the distance between each of the rollers to be equal (column 10, lines 30-35).

For claim 7: Wachynsky et al. teaches an idling roller **62** serving as a receiving unit which serves as an additional processing means (column 5, lines 50-55). In the modified invention of Wachynsky et al. in view of Niemiro et al., the receiving units will be below the plate cylinder **58**, whereas the receiving means will be level with the plate cylinder **58** and thus be substantially above the receiving units.

For claim 8: Wachynsky et al. teaches that the idling rollers, which are plural, serve as guides (column 5, lines 50-55).

For claim 9: Wachynsky et al. teaches that the idling rollers **62** transfer the web **30** to a further print station (column 5, lines 50-55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include winders or digital print heads and the like at a subsequent print station.

For claim 10: Waschynsky et al. teaches a printing machine **36** comprising a module with single frame comprising an impression roller **60**, an anilox roller **56** and a doctor roller **54** and a plate cylinder assembly (see Figure 5) comprising a plate cylinder **58**, the plate cylinder **58** carrying a print image (column 5, lines 45-50, pattern of dots), the plate cylinder **58** abutting the impression roller **60** (see Figure 3). The doctor roller **54** takes ink up from an ink reservoir (column 2, lines 5-22). The anilox roller **56** is arranged between the doctor roller **54** and the plate cylinder **58** (see Figure 3). A desired amount of ink is taken from the doctor roller **54** by the anilox roller **56** and transferred to the plate cylinder **58** (column 5, lines 40-55, pattern of ink is transferred from these three rollers). The plate cylinder **58** is bearing mounted on a stationary shaft **78** (see Figure 4). The applicant concedes in his disclosure of prior art in discussing Waschynsky et al. that two receiving units are disposed on opposite sides of the plate cylinder, which are connected to the frame (see page 1, lines 22-25), additionally, fixation means for fixing the plate cylinder to the receiving units are provided as taught on page 2, lines 1-5 of the specification. Thus, Waschynsky et al. teaches all of the limitations of claim 1 except that the fixation means are substantially under the plate assembly. However, Niemiro et al. teaches fixation means **84, 86** for a plate cylinder **29** that are disposed substantially under the plate cylinder assembly **28**. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Waschynsky et al. by placing the fixation means under the plate cylinder assembly for the purpose of securing the plate cylinder assembly.

***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID BANH whose telephone number is (571)270-3851. The examiner can normally be reached on M-Th 9:30AM-8PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571)272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DHB

/Judy Nguyen/  
Supervisory Patent Examiner, Art Unit 2854